

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1123

Introduced by Assembly Member Berg

February 23, 2007

An act relating to state property, ~~making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1123, as amended, Berg. State surplus property: Healdsburg Armory.

Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature. *Existing law requires the net proceeds from the lease of state surplus property to be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, except as otherwise specified by law.*

This bill would authorize the director, *with the approval of the Adjutant General, to lease to the City of Healdsburg at fair market value and for a period of up to 30 years specified state-owned property known as the Healdsburg Armory. The bill would, notwithstanding the requirement for payment of lease proceeds into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, require the proceeds of the lease to be deposited into the Armory Discretionary Improvement Account pursuant to a specified provision of law. The bill would additionally require the lease to be executed by all parties no later than January 1, 2009.* ~~to sell, lease, convey, or exchange at current fair market value to the City of Healdsburg, subject to terms, conditions, reservations, and exceptions determined by the director, specified~~

~~property in Healdsburg, Sonoma County, known as the Healdsburg Armory. The bill would require reimbursement to the Department of General Services for any cost or expense incurred in the disposition, and would require the net proceeds of the moneys received from the disposition to be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund, thereby making an appropriation.~~

~~The bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes-no~~. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. (a) Notwithstanding any other provision of law,*
 2 *the Director of General Services, with the approval of the Adjutant*
 3 *General, may lease to the City of Healdsburg at fair market value*
 4 *and for a period of up to 30 years state-owned property comprising*
 5 *approximately two acres and improvements located at 900 Powell*
 6 *Avenue, Healdsburg, Sonoma County, known as the Healdsburg*
 7 *Armory.*

8 *(b) Notwithstanding subdivision (g) of Section 11011, the*
 9 *proceeds of the lease shall be deposited into the Armory*
 10 *Discretionary Improvement Account pursuant to subdivision (c)*
 11 *of Section 431 of the Military and Veterans Code.*

12 *(c) The City of Healdsburg shall reimburse the Department of*
 13 *General Services for its actual costs in drafting, negotiating, and*
 14 *executing the lease documents pursuant to this section.*

15 *(d) The lease described in this section shall be executed by all*
 16 *parties no later than January 1, 2009.*

17 ~~SECTION 1. (a) Except as provided in subdivision (b), the~~
 18 ~~Director of General Services shall sell, lease, convey, or exchange~~
 19 ~~at current fair market value to the City of Healdsburg, upon those~~
 20 ~~terms and conditions and subject to those reservations and~~
 21 ~~exceptions as the Director of General Services determines are in~~
 22 ~~the best interests of the state, all or any part of the following real~~
 23 ~~property:~~

24 ~~Approximately 2.0 acres with improvements thereon, known as~~
 25 ~~the Healdsburg Armory, located at 900 Powell Avenue,~~
 26 ~~Healdsburg, Sonoma County.~~

1 ~~(b) In no event may the director sell, lease, convey, or exchange~~
2 ~~the property identified in subdivision (a) at a value less than fair~~
3 ~~market value.~~

4 ~~SEC. 2. Any sale, lease, conveyance, or exchange of the~~
5 ~~property described in subdivision (a) of Section 1 of this act is~~
6 ~~exempt from Chapter 3 (commencing with Section 21100) to~~
7 ~~Chapter 6 (commencing with Section 21165), inclusive, of Division~~
8 ~~13 of the Public Resources Code.~~

9 ~~SEC. 3. The Department of General Services shall be~~
10 ~~reimbursed for any cost or expense incurred in the disposition of~~
11 ~~the property described in subdivision (a) of Section 1 of this act.~~
12 ~~The net proceeds of any moneys received from the disposition of~~
13 ~~the property shall be paid into the Deficit Recovery Bond~~
14 ~~Retirement Sinking Fund Subaccount, as created by subdivision~~
15 ~~(f) of Section 20 of Article XVI of the California Constitution.~~

16 ~~SEC. 4. In implementing this act, the Director of General~~
17 ~~Services shall except and reserve to the state all mineral deposits,~~
18 ~~as defined in Section 6407 of the Public Resources Code, together~~
19 ~~with the right to prospect for, mine, and remove the deposits. The~~
20 ~~rights to prospect for, mine, and remove the deposits shall be~~
21 ~~limited to those areas of the property conveyed that the director,~~
22 ~~after consultation with the State Lands Commission, determines~~
23 ~~to be reasonably necessary for the removal of the deposits.~~

24 ~~SEC. 5. This act is an urgency statute necessary for the~~
25 ~~immediate preservation of the public peace, health, or safety within~~
26 ~~the meaning of Article IV of the Constitution and shall go into~~
27 ~~immediate effect. The facts constituting the necessity are:~~

28 ~~In order that the Healdsburg Armory may be disposed of at the~~
29 ~~earliest possible time, it is necessary that this act take effect~~
30 ~~immediately.~~